

REMARKS

The application has been carefully reviewed in light of the Office Action dated April 16, 2007. Claims 10 to 13, 15, 17, and 18 are in the application, with Claims 10 and 13 being independent. Claims 1 to 6, 8, 9, 14, and 16 have been cancelled without prejudice. Claims 11 to 13 and 15 have been amended herein, and Claims 17 and 18 have been newly added. Reconsideration and further examination are respectfully requested.

A new title has been provided, as required by the Office Action.

Claims 1 to 9, 15, and 16 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1 to 9, 15, and 16 were rejected under 35 U.S.C. § 101 for lack of utility. Claims 1 to 9, 15, and 16 were rejected under 35 U.S.C. § 102(b) over WO 00/65097 (Hahn). These rejections are respectfully traversed.

Applicant wishes to thank the Examiner for the courtesies extended to Applicant's undersigned representative during the telephone interview conducted on July 11, 2007. During the interview, the Examiner tentatively indicated that he would be inclined to more favorably view the application if the claims were amended along the lines set forth above. In this regard, the Examiner agreed to permit Applicant to shift to the non-elected method.

With respect to the § 102(b) rejection, Applicant respectfully submits that Hahn does not disclose or suggest at least the feature recited by Claim 13 of preparing a probe medium comprising an organic solvent comprising a coupling agent for coupling the probe to the substrate, where the coupling agent comprises silane. Applicant further

respectfully submits that Hahn does not disclose or suggest the dissolving and separating steps recited by Claim 11.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from the independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Claims 1 to 3, 6, 8, 9, and 16 also received a provisional rejection for obviousness-type double patenting over Claims 1 to 5, 20, and 24 of Application No. 10/452,150.

Applicant notes that a provisional double patenting rejection should be withdrawn and the application permitted to issue if the provisional double patenting rejection is the only rejection remaining in an application. See MPEP § 804(I)(B). Applicant submits that the provisional double patenting rejection is the only remaining issue in this application and therefore respectfully request withdrawal of the rejection.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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